

Some Information

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U. S. PATENT OFFICE

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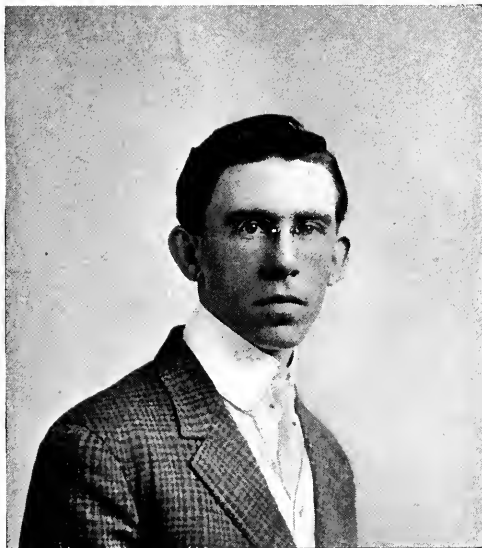
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OUR FIRM

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MR. JAMES W. BEVANS

is a member of the Bar of the Supreme Court of the United States, and of the District of Columbia Courts. He has for the past ten years engaged in practice before the United States Patent Office and the Courts, during which time he has prepared and prosecuted applications for patents on many valuable inventions, and rendered opinions and conducted litigation in many important cases. He has been retained, and is now, by some of the largest manufacturing interests in the United States.

OUR FIRM

MR. WILLIAM H. BEVANS

is an expert mechanical engineer with many years' experience, having gone through a thorough course of study in machine shops, drafting rooms, and factories, and was mechanical engineer for one of the largest manufacturing concerns in the New England States.

His thorough knowledge of mechanics and acquaintance with shop, factory and technical subjects enable us to give to inventors the highest class of expert service in the preparation of patent cases, and in case of litigation furnish our clients with a mechanical expert of recognized ability in the profession.



OUR HOME



Our Offices

Our offices are located in the Colorado Building, the elegant new office building situated on the corner of 14th and G Streets, N. W., within a few blocks of the Patent Office, Treasury Department, White House, State, War and Navy Departments, and other Government buildings. It can be reached in fifteen minutes from either of the present railway stations, or the new union depot now rapidly nearing completion. Its location, with respect to the several Government buildings mentioned, and the fact that nearly all of the street railroads pass the door or within a block, makes it very convenient for inventors who desire to visit the many points of interest or transact business at some of the other Departments while in Washington.

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Selection of

Attorneys

The Commissioner of Patents says in the Rules of Practice:

"As the value of patents depends largely upon the careful preparation of the specifications and claims, the assistance of competent counsel will, in most cases, be of advantage to the applicant; but the value of their services will be proportionate to their skill and honesty, and too much care cannot be exercised in their selection."

Or, in other words, when you desire to secure a patent, employ an attorney that knows how. It is a fact that the heads of most of the patent firms that do extensive advertising have never prepared or prosecuted an application for patent and have no knowledge whatever of patent practice. The work is done entirely by clerks, or farmed out to young and inexperienced attorneys at a few dollars a case.

You should use the same care in selecting an attorney that you would in deciding upon a physician to treat yourself or some member of your family. Your selection of a doctor would certainly not be influenced in any way by various offers of "something for nothing" or by beautiful guarantee certificates, or a large quantity of cheap literature. Don't intrust your patent business to some poorly-paid, inexperienced clerk, or some pension or land attorney who has, through failure of his own business, styled himself a patent attorney, but who is without knowledge of patent practice.

Every case you send to this office receives our personal attention. Every patent procured through our office contains all that could possibly be secured for the inventor, and is the result of careful study and conscientious effort.

The Basis on which

We do Business

There is a real estate firm in Washington which advertises:

"Honest Dealings in Realty." Our motto is "Honest Dealings in Patent Matters." We feel an interest in every case placed in our hands that extends beyond the amount of the fee received. Soliciting patents with us is a profession, not a business. We have a pride in our professional standing. We give inventors our honest opinion in every instance, whether it is dollars in or dollars out of our pockets. It is our endeavor to secure for the inventor all to which he is entitled. We can attend to any matters relating to patents, either in the Patent Office or the Courts, personally. We are not dependent upon others to do any part of the work, as our knowledge and experience extend over all branches of the profession.

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Who May

Obtain a Patent

A patent may be obtained by any person (man, woman or child, citizen or alien) who has invented or discovered any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvement thereof, not known or used by others in this country before his invention or discovery thereof, and not patented or described in any printed publication in this or any other country before his invention or discovery thereof, or more than two years prior to his application, and not patented in a country foreign to the United States on an application filed more than twelve months before his application; and not in public use or on sale in the United States for more than two years prior to his application.

Value of

A Patent

The vitality of a patent is in its *claims*. No matter how elaborate and ornate the drawings, or how comprehensive or well-written the specification or description of the invention, if the *claims are not drawn to properly cover the essential features of the invention, the patent is worthless.*

A patent in order to be valid must contain a sufficient illustration and description of the invention to enable any one skilled in the art to which it appertains to make and use it. The *claims*, however, *are the measure of the inventor's protection.* This is a point upon which the inventor is not ordinarily well informed, and this is unfortunately too often taken advantage of by unscrupulous patent attorneys.

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Claims

To properly draw a claim requires a thorough knowledge of patent law and patent practice. Whatever of your invention is not covered by the claims is free to be used by the public. During our practice before the Patent Office, we have seen many patents that were worthless by reason of narrow, non-protecting claims. The inclusion in a claim of non-essential details that can be materially changed or omitted altogether in a machine by any mechanic, or the couching of the claim in limiting language, frequently takes from the inventor that reward of genius and labor to which he is entitled. If your invention is a valuable one, you may be sure that as soon as the patent issues, there will be much study on the part of parties desiring to reap the benefits of the invention without paying anything therefor, to devise some means to avoid your claims, and thus use the essential features of your invention without being liable as infringers. Their success in this attempted steal of the invention depends upon the strength of your claims. Many inventors think that if a patent is granted, the invention is protected. This, as stated hereinbefore, is not true. If all that an attorney asks for is a narrow, non-protecting claim, the Patent Office will give it to him.

PATENT STEPS

Step

Patentability

No. 1

Preliminary Examination

The first step to be taken is to ascertain whether or not the invention is new and patentable, and to this end what is known as a preliminary examination should be made. In this connection, too much emphasis cannot be laid upon two points:

- 1st. *The importance of a preliminary examination, and*
- 2nd. *The importance of thorough examination by a competent attorney.*

Before discussing these two points, we will explain fully what a preliminary examination is. To date over 850,000 patents have been issued, covering the various arts, and copies of all these patents are arranged in the Patent Office in classes and sub-classes. In order to make a preliminary search to ascertain whether or not a given invention is new and patentable, the attorney goes to the Patent Office and calls for the particular sub-classes in which similar inventions are classified, and examines each patent carefully. When this examination is completed, he is in a position to advise his client respecting the chances of securing a patent on his invention.

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Importance of Preliminary

Examination

The importance of a preliminary examination will be fully appreciated by the inventor when he considers the large number of patents that have been granted in every art, and is made aware of the fact that should a patent be refused by the Patent Office, the Government filing fee of \$15 is not refunded. Ascertain by having an examination made whether the invention is patentable before filing an application, and you will be money in pocket.

Importance of a Thorough Examination by a Competent Attorney

and decide the question of patentability upon the patents found by these boys in their searches. The vital question of patentability is therefore really decided by these inexperienced boys, some of them just out of school, as the patents selected by them as bearing upon the invention are the result of their judgment in a matter of which they have little or no knowledge. The attorney may be capable of deciding whether your invention is patentable over the references brought to him by his searchers, but he does not know what far closer patents

Many attorneys hire at a few dollars a week, young boys to make their preliminary examinations,

Importance of a Thorough Examination by a Competent Attorney (Cont'd)

may be in the Patent Office which said clerks have not selected, either because they have made careless searches, or because through lack of training in patent matters, have not grasped the full significance of. Upon a preliminary examination you stake your money, your time, and your hopes. Be sure it is reliable. You want your physician to correctly diagnose your case if you are sick—if you have an invention you want your attorney's opinion as to patentability to be just as reliable—it can't be unless he has made an honest preliminary examination.

The charge made for this preliminary examination by responsible attorneys is \$5, which amount, if the invention is new and patentable, is credited as a part of the attorney's fee for preparing and prosecuting the application, in which case you have the examination without additional cost. If the invention is found not to be patentable, the \$5 charged, remunerates the attorney for his expenditure of time and skill in making the examination and reimburses him for the cost of copies of the interfering patents which are forwarded to inventor with the report as to patentability. This is not an unreasonable charge, when you consider that often hundreds of patents must be examined in making a preliminary examination and frequently a day or a large part thereof consumed.

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Importance of a Thorough Examination by a Competent Attorney (Cont'd)

A number of attorneys are advertising *free* opinions as to patentability. Mr. Inventor, did you ever get anything really worth having for nothing? There is always a colored gentleman in the woodpile in something-for-nothing schemes, and this is true in connection with "free opinions as to patentability," the sole purpose of which is to lead the inventor to believe that he is getting for nothing the preliminary examination for which reliable attorneys charge \$5. Does he get it? Read carefully their patent literature and you will see that the opinion that they are to give for nothing is not based on a search through patents granted in the art to which the invention appertains, but merely upon their knowledge of the art. 850,000 patents issued! What a human prodigy an attorney would be who could carry in his mind the structures described and claimed in 850,000 patents! Such an opinion is absolutely worthless and this is fully appreciated by the attorneys themselves for all of them either state in their patent books, or write the inventor that "while in our opinion (thus and so), we would advise a special search at a cost of \$5." The sole object of the free-opinion offer is to get into correspondence with an inventor and secure from him his model, description and drawings of his invention with the idea that having gone that far, he is not likely to refuse

Importance of a Thorough Examination by a Competent Attorney (Cont'd)

to pay his \$5, when they spring the special search or examination on him.

We charge *nothing* for the preliminary examination if the invention is *patentable and you proceed with an application through our office*. If the invention is *not* patentable, we charge \$5 for the examination. We make a thorough examination and reliable report, accompanied by copies of the nearest patents found. We stand back of every examination and opinion as to patentability made, and our responsibility is such that we do not issue elaborate guarantee certificates as evidence thereof. If the inventor desires anything to frame and hang up, we will send him an art picture of some sort, which will certainly be more pleasing to the eye than one of the so-called "Guarantee Certificates," and equally as valuable so far as his invention is concerned.

A foreign patent showing a similar device has the same force and effect as a U. S. patent, but the records of these foreign patents accessible to the attorney are not classified, so that to search through the same would be a lengthy and expensive task. A preliminary examination cannot therefore be accepted as conclusive that the invention is new and patentable, but it reduces the chances of failure to secure the patent to a minimum.

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What the Inventor Should Furnish for a Preliminary Examination

Send a plain drawing or sketch of the invention, together with a full and clear description, stating the objects and advantages. A model is usually not necessary. If, however, you have a model, it may be sent in place of a drawing or sketch. Remember, in disclosing the invention to your attorney, that he is not as familiar with it as you are. The drawing and description should therefore be sufficiently clear to enable him to understand the construction and operation of the invention. A good plan is to letter the different parts of the invention in the sketch or sketches, giving the same part the same letter in each instance, and in the description refer to the parts by their indicating letters. In instructing us to make preliminary examination, remit \$5, which, as stated, if the invention is new and patentable and you proceed with an application, will be credited on account of the attorney's fee.

Step No. 2 Favorable Report

On receipt of a favorable report, upon your invention, instructions should be given to the attorney to proceed with the preparation of the application. Upon receipt of such instructions the specification, claims and drawings will be promptly prepared and the application forwarded for approval and execution. We furnish the inventor in each case with an extra copy of the specification, claims and drawings for his own use. When instructing us to proceed with an application, remit \$10 on account. See our schedule of fees, pages 30 and 31.

Execution of Applications

The application should be signed in the three places indicated and your signature in the one place witnessed by two witnesses. Take the oath before a notary public or other official having a seal, and be sure that this seal is affixed. If the oath is taken before an officer not provided with a seal, his official character must be evidenced by a certificate from the clerk of a court of record or other proper officer having a seal.

Always read carefully the description of the invention in connection with the drawing, and if you desire any changes or additions made, do not indicate the same directly upon

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Execution of Applications (Cont'd)

the original copy of the specification, but upon a separate sheet, as often this necessitates recopying thereof where otherwise corrections could be made without the additional work.

After the application is once filed in the Patent Office, no material changes can be made, so be sure it correctly sets forth your invention before it is filed.

Return the application after it has been executed for filing, and accompany the same with a remittance covering the Government filing fee of \$15, and the balance of the attorney's fee, amounting to \$15, if you desire to pay it at this time. See schedule of fees, pages 30 and 31.

Unfavorable Report

If an unfavorable report is received, examine the copies of patents sent and read carefully our reasons for deciding that in view thereof the invention is not patentable. If after carefully considering the patents, you are of the opinion that there are material differences between these patents and your invention, write us fully, setting forth these differences clearly together with their advantages, and *return* the copies of patents. We will then go over the matter carefully, and give you our final opinion.

Step	Issuance
No. 3	of Patent

When you are notified of the allowance of the patent, remit the Government final fee of \$20. The inventor is allowed six months to pay this final fee of \$20, and issue the patent, but as hereinbefore stated, it is not advisable to permit the application to remain unissued in the Patent Office, as some one else may file an application for the same or substantially the same invention in which event your application would be withdrawn from issue and placed in interference with the other application, and you would be involved in an expensive interference proceeding.

Patents issue and bear date nineteen days from the Thursday on which the final fee is paid, or, if not paid on a Thursday, from the next Thursday after such payment. Patents always issue on Tuesday, and the nineteen days are used by the Government in printing the specification and claims, photographing the drawings, and preparing the grant.

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Time Required to Secure the Patent

This cannot be definitely stated, as the Examiners in the Patent Office are usually behind with their work (due mainly to an inadequate number of assistants), in some divisions from one to three months, and in others, even longer, and as each application must await its turn to be examined, some little time must be consumed in securing the patent, the same depending upon the condition of work in the division to which the application is assigned, and upon the number of amendments necessary to secure claims which fully cover the invention. Last year we had several cases pending for seven months before receiving the first official action by the Office. However, this is not usual, and it is thought that, in view of the effort being now made by the Commissioner of Patents to keep up with the work, there will be less delay in the future.

All cases placed in our hands are pushed forward to a termination as rapidly as is possible, consistent with good work and careful attention to the best interests of the inventor.

How an Application Is Prosecuted

When an application is received in the Patent Office, after it is given a number, it is assigned to one of the forty-one examining divisions for examination. Each examiner and his corps of assistants has assigned to him one or more classes of inventions. When your application is reached by the examiner, it is taken up for examination and a search is made to ascertain whether there is any prior patent or patents showing the construction specified in the claims of the application. The case is then acted upon, the examiner allowing or rejecting the claims, some of which may be allowed and others rejected. Where a rejection of a claim is made, the number of the patent relied upon is given. Some times all of the claims are allowed on the first action and the case at once passes to issue, but this is not usual where broad claims are presented.

Upon receipt of the official action it is the attorneys business to answer the same by the proper amendments and argument.

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The case having been acted upon, we secure copies of all patents cited by the examiner in rejection of the claims, and make a careful study of the same. If we are convinced that they show the construction called for by the rejected claims, these claims are either amended by changing the wording to avoid the patents, or by cancelling them and inserting new ones. If we are not convinced that the claims are met, we ask for a reconsideration and present an argument in support of our contention. Where necessary or desirable, we take up the case personally with the Examiner.

The Examiner then considers the case in connection with the amendment and argument, and again acts on it, either rejecting or allowing the claims, or some of them. This is repeated until the claims that the examiner is willing to allow are acceptable to us (in which event we proceed to have the case formally allowed), or until the examiner finally refuses to allow the claims to which we think the inventor is entitled, in which case we advise an appeal.

An appeal lies from the decision of the Examiner as to patentability, *first* to the *Board of Examiners-in-Chief*
Appeals
Second, from this tribunal to the *Commissioner of Patents*, and
Third, from the decision of the Commissioner to the *Court of Appeals of the District of Columbia*.

We prepare all necessary papers for these several appeals and argue the case in person before these tribunals, and also where necessary or desirable, submit carefully prepared briefs.

The costs and fees for appeals will be stated when an appeal is necessary, or upon application.

Usually by proper presentation of a case, all that the inventor is entitled to can be secured without appeal.

Appeals may also be taken to the Board of Examiners-in-Chief, Commissioner of Patents, and Court of Appeals of the District of Columbia from the decision of the Examiner of Interferences, in cases involved in an interference proceeding.

Any proper question which has been twice acted upon by the Examiner and which does not involve the merits of the invention claimed, the rejection of a claim, or a requirement for division of a case, may be taken to the Commissioner of Patents, without the payment of any Government fee. Our fee for taking petitions to the Commissioner will be stated when such action is necessary, or upon application.

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Division Where several independent and distinct inventions are claimed in a single application, the inventor will be required to limit the description, drawings and claims, to whichever invention he may elect. New applications may be filed covering the inventions divided out of the original case.

Death of Inventor In event of the death of the inventor, before application, the latter can only be made by the executor or administrator, to whom the patent will issue. Should the inventor die after the application is made, but prior to the issuance of the patent, the patent will be issued to the executor or administrator. The death of an inventor terminates at once the power of attorney given by him to his attorney to prosecute the application.

Joint Inventors Where two parties work together to produce an invention, each contributing his suggestions and efforts, a joint application should be made. *A person furnishing capital only is not a joint inventor.*

Extensions A patent cannot be extended beyond the term of seventeen years except by act of Congress. Although a number of petitions for extensions of patents have been made to Congress within the past twenty-five years, not a single one has received favorable action. A patent is a monopoly and public sentiment is opposed to the extension of monopolies.

Models Models are no longer required to be filed with applications for patents. Where, however, the examiner finds it necessary or useful, he may require one to be filed. This requirement is rarely made.

Models are often of assistance to an attorney in preparing the case, but are usually not necessary. Where a model is forwarded, be sure that it is sent prepaid, as we do not accept models sent "collect."

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Drawings

The invention must be fully and clearly illustrated by India-ink drawings made on sheets of bristol board 10 x 15 inches, in accordance with the requirements of the Patent Office. We prepare all necessary drawings, the cost of the same being included in the attorney's fee named. We pride ourselves on our drawings. It is our endeavor to illustrate the invention by bold, finely-executed drawings and to this end we employ only expert draftsmen. We do not, however, in order to illustrate an invention relating, say, to harness, show a horse and wagon, a corn-field, a house and barn and a scare-crow. We have seen this done "to catch the inventor's eye." It also catches his money, as by filling the small sheet of bristol board with this entirely useless illustration, more than one sheet of drawing is required at an extra \$5 per sheet. We illustrate the invention fully, but do not spread the drawings in order to secure an extra fee by reason of addi-

Drawings (Cont'd)

tional sheets over the one included in the estimated cost of a simple case.

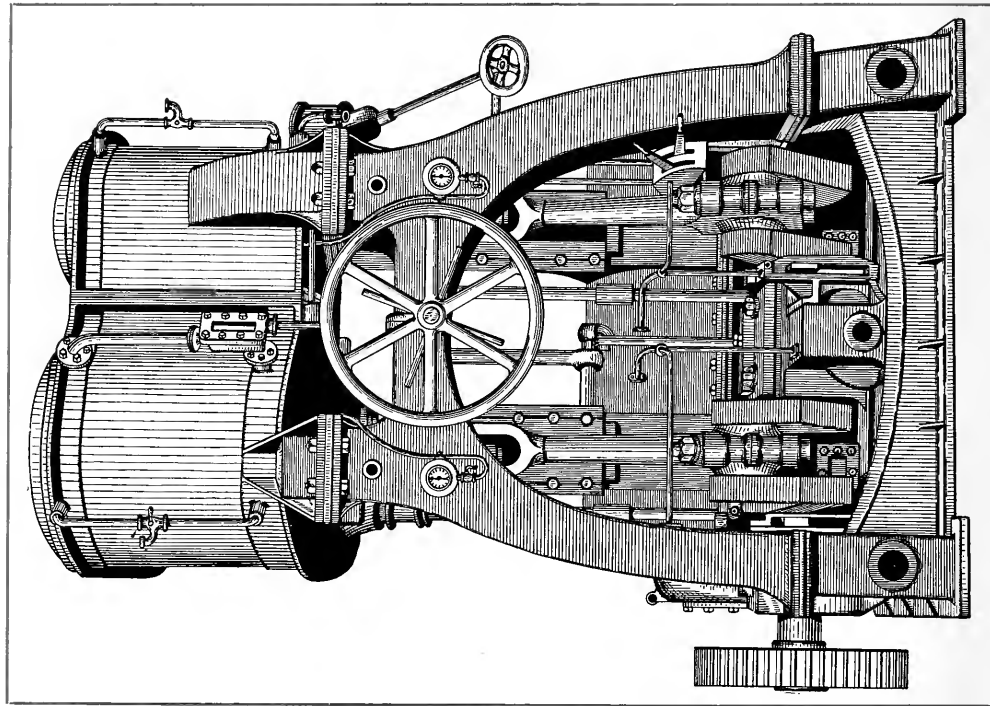
Some attorneys arrange their fees in this manner—

Attorney's fee	\$25
Official Patent Office drawing	5
Total	<u>\$30</u>

and by this device lead the inventor to believe that their total fee is \$25 and that the charge of \$5 for the drawing is one made by the Patent Office. As a matter of fact, the attorneys of this class usually pay a very small price for this drawing, so that the \$5 nets them several dollars. We always supply the inventor with a blue or black and white print of the drawing, and furnish any number of additional prints or photo-lithographic copies, at a nominal price.

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SPECIMEN OF INDIA-INK OFFICIAL DRAWING
MADE IN OUR OFFICE



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What to Invent

It has been the practice of many attorneys and is now, to print in their patent booklets, a list of things to invent. This list is usually prepared by selecting a number of different articles from the Patent Office classification of inventions, and embraces such inventions as:

A carpet stretcher for stretching carpets and holding them while being tacked. (There are now over 150 patents on devices of this character.)

Something to take the place of shoe buttons and glove buttons that will be easy of attachment, cheap in manufacture, and which will hold the parts securely fastened. (There are now over 1100 patents on fasteners that meet all of these requirements.)

Match-boxes that will permit of the removal of only one match at a time. (There are over 250 patents on such match-boxes.)

What to invent (Cont'd)

The result of these lists has been to cause many persons to spend their time and labor to produce something to meet what they naturally thought to be a long-felt want, and which they thought would be the first device of that character, but which in reality was one among many, and upon which a very limited patent only could be secured. Thus time, labor and money were expended and the only beneficiary was the attorney.

We cannot tell you what to invent. We can say, however, that toys, novelties, household devices, and advertising novelties, usually net a good return, and are very easily handled. Inventors, however, usually invent along the line of their daily pursuits, and knowing the demands and requirements of the particular arts in which they are employed, need no suggestions as to what to invent.

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Copies of Patents And Official Gazette

We will furnish copies of patents at ten cents each. Give the number of the patent desired, the invention, and where possible the name of the patentee and date of the patent. If you cannot give the number or date, the name of the patentee, the approximate date and the invention will be sufficient.

The Official Gazette issues weekly and contains an illustration and claims of each patent issued during the week. The subscription price is \$5 a year. We will furnish copies at 25 cents each.

Often inventors and manufacturers desire to have copies of all patents forwarded to them that issue weekly relating to the subject or business in which they are interested. We will place your name on our list for this service, if requested, the charge above the cost of the copies being a nominal one.

Abandoned, Forfeited and Renewed Applications

Abandoned Applications. If proper response is not made by the applicant or his attorney to an action by the Patent Office in an application for patent within one year after the date of such official action, the application becomes abandoned, and can only be revived as a pending application by showing to the satisfaction of the Commissioner that the delay in the prosecution of the case was unavoidable. The circumstances must be very exceptional to secure the restoration of an application abandoned by failure to prosecute within the one year. If the Commissioner will not revive an abandoned case, it is necessary to file a new application, paying again the filing fee of \$15.

Forfeited Applications. A forfeited application is one in which the Government final fee has not been paid within the six months allowed after the official notice of the allowance of the patent. Forfeited applications may be renewed at any time within two years after the allowance of the original application by the payment of a second filing fee. The oath, petition, specifications, claims and drawings of the original application may be used for the renewal application. The renewal application is subject to examination in the same manner as an original application.

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Reissues

A reissue patent is granted when the original patent is inoperative or invalid by reason of a defective or insufficient specification, or by reason of the patentee claiming as his invention or discovery more than he had a right to claim as new, provided the error has arisen through inadvertence, accident, or mistake.

A reissue is rarely necessary where a responsible, skilful attorney is employed in the first instance.

Foreign Patents

Foreign patents may be applied for and obtained prior to making application in the United States, if so desired, provided the application in this country is filed within one year after the filing abroad. Valid foreign patents cannot be obtained in most countries after the issuance of the United States patent. There is ample time after the allowance of the patent in this country to file abroad, as the final

Foreign Patents (Cont'd)

fee may be paid at any time within six months after the official notice of allowance.

The specification and claims of the foreign applications should be drawn in accordance with the foreign law and practice if a valid patent is desired. As stated before in the book, the cheapest is not the best, and it is poor policy to employ an attorney to attend to your foreign business merely because he quotes a low fee.

We have responsible correspondents in all foreign countries to represent our clients before the foreign Patent Offices, and our foreign business is conducted on the same basis as our U. S. business, namely, the best service, and the most reasonable fees consistent with such service.

Full information respecting foreign patents and costs furnished on application.

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Interference Proceedings

An interference is a proceeding instituted for the purpose of determining which of two or more parties, claiming substantially the same patentable invention is entitled to the patent.

The proceeding may be declared between two or more applications containing conflicting claims, or between an application and a patent.

Sometimes two inventors in different parts of the United States invent substantially the same invention and file applications thereon, in which case, by means of the interference proceeding, the Patent Office determines to which of the inventors the patent should be granted. One of the inventors may have secured a patent, but this does not prevent the inventor whose application is pending from contesting the right to the invention, provided he shall file an affidavit and make the proper showing that he made the invention prior to the date of filing of the patentee's application.

An interference may also be declared between an original application and a reissue application, or between two reissue applications. The number of applications involved in interference proceedings as compared with the number of patents granted yearly is very small, so that while it is possible that you may be involved in such a proceeding, yet the chances are very slight.

Our Services in Interference Cases

The fee for preparing and prosecuting an application does not cover an interference. We have had large experience in interference proceedings and offer expert service at moderate fees. Do not intrust your case to any one not thoroughly acquainted with patent practice unless you want to run the chance of seeing the other man granted a patent to which you may be entitled, and which you would have obtained had your case been properly prepared and presented.

Rejected Cases

The fact that one attorney has failed to secure the allowance of an application for patent is by no means conclusive that the invention is not patentable, as often applications which one man has prosecuted without success may be presented in such manner by another as to receive favorable consideration. If you have such an application pending, fill in the blank "Authority to Inspect" on the opposite page, and forward it to us. We will examine the case and give you our honest opinion as to the chances of securing a patent, and at the same time, if our opinion is favorable, will state the fee for which we will take up the case and prosecute it to a successful termination. For this examination we will make no charge. Should you then decide to place the matter in our hands, fill in the blank "Power of Attorney" on the opposite page and the case will be taken up at once and submitted for further consideration with the proper amendments and argument.

Power of Attorney

Hon. Commissioner of Patents

SIR:—I hereby appoint **BEVANS & BEVANS**
(**James W. Bevans and William H. Bevans**)
Colorado Bldg., Washington, D. C., Registered
Patent Attorneys No. 8197, my attorney, with full
power of substitution and revocation, to prosecute
my application for patent on.....

.....
filed..... Serial No.....
to make amendments and alterations therein, to
sign the drawings, to receive the patent, and to
transact all business in the Patent Office connected
therewith. All former powers of attorney granted
by me are hereby revoked.

.....
Signed at.....
this..... day of..... 190.....

Authority to Inspect

Hon. Commissioner of Patents

SIR:—Permit **BEVANS & BEVANS** (James
W. Bevans and William H. Bevans) Colorado
Bldg., Washington, D. C., Registered Attorneys
No. 8197, to inspect my application for patent on

.....
filed on or about.....
Serial No.....

Respectfully,

.....
Dated..... at.....



CAVEATS—DESIGNS

Caveats

When an invention has not been fully perfected, the inventor may avail himself of the protection afforded by a caveat, which protection consists in notice from the Patent Office during the life of the caveat of the filing of an application for patent by anyone on the same or substantially the same invention, and the allowance of three months' time within which to file a patent application in order that an interference may be declared to decide to whom the patent should be granted. A caveat must consist of a description of the invention, oath and drawing. A receipt is issued by the Patent Office, and the papers are filed in the confidential archives. The life of a caveat is one year, but it may be renewed each year by the payment of another caveat fee of \$10. A caveat confers no rights and affords no protection except as to notice of an interfering patent application filed during its life, giving the opportunity of proving priority of invention. By the mere filing of a caveat, the inventor is *not* privileged to mark his invention when manufactured either "Patent Pending" or "Patent Applied For."

Our fee for a caveat is \$10, \$5 of which is payable when instructions are given to prepare the case, and the remaining \$5 when the papers are returned for filing.

Design

Patents

Design patents are granted to cover any new, original and ornamental design, and protect the shape, configuration or ornamentation of an article. The design sought to be protected must be artistic or ornamental. Under this form of protection, many articles may be covered, as for instance:

Articles of Furniture, Glassware, Statuary, Pottery, Bas-Relief, Alto-Relievo Work, Printing Designs for Fabrics, Ornaments, Jewelry, Machine Elements or Parts, Stoves, etc.

Patents for designs are granted for three and one-half years, seven, or fourteen years, as the applicant may in his application select.

The application must contain a description of the design and a claim, and must be accompanied by a drawing showing clearly the design claimed.

The Government fees for design patents are: for three and one-half years, \$10, seven years, \$15, and fourteen years, \$30. Our fee, regardless of the term for which the patent is to be granted, is \$25 which includes one sheet of drawing and preliminary examination, which fee is payable, \$5 when instructions are given to make preliminary examination, \$5 when we are instructed to prepare the case, and balance of \$15 when case is returned for filing. See our schedule of fees, pages 30 and 31.

Copyrights—Trade Marks

Copyrights

A copyright may be obtained by the author, designer, editor or proprietor of any book, map, chart, dramatic or musical composition, engraving, cut, print or photograph or negative thereof, or a painting, drawing, chromo, statuary, model or design intended to be perfected as works of fine art.

Duration. A copyright is granted for twenty-eight years, with privilege of renewal for fourteen years.

Necessary Information for Application. All that we require is the title of the work to be copyrighted, and whether said work is a book, pamphlet, map, painting, etc., together with your full name and address, the country of which you are a citizen, and a statement whether you claim as author, designer, editor and proprietor, and whether the work is to be produced or printed in the United States, from type produced or set up in the United States or from plates made from such type.

Cost. The total cost is \$5, including our fee and the Government fee. We can quote lower charges where more than one case is filed at the same time.

Trade Marks

The owner of a trade mark used in commerce with foreign nations, or among the several states, or with Indian tribes, may register his trade mark in the Patent Office by complying with the requirements of the law and Rules of Practice provided in such cases.

Term of Trade Mark

The term for which a trade mark is registered is twenty years, which term may be extended for a like period by the payment of the proper fee and the filing of a request for such renewal, not more than six months prior to the expiration of the term for which the certificate was issued or renewed. The certificate may be renewed as many times as desired, each renewal continuing in force for twenty years.

TRADE MARKS



Application for Registration

An application duly executed must be filed, drawn in accordance with the requirements of the law and Rules of Practice, and accompanied by an India-ink representation of the mark on bristol-board of the size specified by the Patent Office in such cases together with five specimens or facsimiles of the mark. We prepare all papers and the India ink facsimile. The cut on the opposite page shows the character of the India ink facsimiles prepared in our office.

After the application has been examined and the mark found to be registerable, the attorneys are notified, and the mark published in the Official Gazette. If no opposition is lodged by anyone within thirty days after such publication, the certificate of registration is prepared and issued.

What to Furnish Attorney

1. Ten facsimiles of the mark.
2. Whether mark is used in commerce between the several states, or between the United States and foreign nations, (specifying the latter) or both.
3. Class of goods on which used.
4. Length of use of mark.
5. Place of business.
6. If a firm, give members thereof and name of member who will execute the papers.
7. If a corporation, state where incorporated and give name and title of person who will execute the papers.

What May Not Be Registered

I. A mark consisting of or comprising immoral or scandalous matter.

II. A mark consisting of or comprising the flag or coat of arms or other insignia of the United States, or any simulation thereof, or of any state or municipality or of any foreign nation.

III. A mark consisting merely in the name of an individual, firm, corporation or association, *not* written, printed, impressed or woven in some particular or distinctive manner or in association with the portrait of the individual.

IV. Words or devices which are merely descriptive of the goods with which they are used, or of the character or quality thereof.

V. A geographical name or term.

VI. A mark which is identical with a mark owned and in use by another appropriated to merchandise of the same descriptive properties, or which so nearly resembles a registered or known trade mark owned and in use by another and appropriated to merchandise of the same descriptive properties as to be likely to cause confusion or mistake in the mind of the public, or to deceive purchasers.

TRADE MARKS



Value of a Trade Mark

The value of a trade mark is too well known to require any discussion. The most valuable asset of a business is often the trade mark or trade marks under which the articles manufactured or sold have become familiar to the many buyers of this and perhaps foreign countries. Can you figure the value of the trade mark "Ivory," as applied to soap? Suppose the makers of this soap had no property right in the word "Ivory" as applied to soap, what would be the result? The market would soon be flooded with "Ivory Soaps," and even if these imitations were of the same sterling value as the genuine "Ivory," the originators of the latter would be compelled to share the demand that they, with an enormous expenditure of time and money, have created, with others who have expended perhaps, not a single dollar. This result, however, would be even worse, were the imitations of the genuine "Ivory Soap" of inferior quality, for the demand for Ivory Soap would soon cease, as the public would want no soap bearing that name.

Fees

The total Government fee is \$10, and our fee \$15, making the total cost of registration \$25, which is payable as follows: \$5 when instructions are given to make application, and \$20 when application is returned for filing in the Patent Office.

We always make a search to ascertain whether the mark has been registered to some one else for use on goods of the same descriptive properties. If this search develops the fact that the mark cannot be registered by reason of prior registrations, we charge \$5 for the service rendered. If no interfering marks are found and you proceed with an application, no charge is made for the search.

TRADE MARKS

SPHINX

THE DIAMOND RUBBER CO.



THE BERRY HILL MINERAL
SPRING CO. OF VA.



THE WISE FURNACE CO.

B.H.M.

THE B. MAKOVER CO.

GULF

THE DIAMOND RUBBER CO.

PRINTS *and* LABELS

is an artistic or intellectual production
A Print designed to be used for an article of manufacture and in some fashion pertaining thereto, but not borne by it, such as an advertisement thereof of artistic character.

is a similar production impressed or
A Label stamped directly on an article of manufacture, or upon a separate piece of paper or other material to be attached to the article, or to bottles, boxes and packages containing the same, to indicate the contents, name of manufacturer, quality of goods, directions for use, etc.

Both labels and prints must be registered, if registration is desired, *before use or publication*.

The term for which the registration is granted is twenty-eight years, and it may be extended for a further period of fourteen years.

Prints and Labels (Cont'd)

Prints and labels are assignable, and the assignments should be recorded in the Patent Office within sixty days after execution.

After registration, a notice may be given thereof either by merely printing the word "Registered" on the print or label or by some such notice as "Warning ! This print (or label) has been registered according to law. Infringers will be prosecuted."

Our total charge for registering a print or label, including Government Fee, is \$15. A reduction will be made in this fee where a number of prints or labels are registered at the same time.

We should be furnished with the name and residence of the applicant, and eight copies of the print or label.

Assignments, Licenses, etc.

Assignments An assignment is the transfer of the whole interest in a patent, or an undivided portion thereof, extending to every portion of the United States. Assignments must be written or printed and duly signed. They *need not* be acknowledged before a notary public or other officer. Assignments may be made before the issuance of a patent, in which case the Commissioner should be authorized and directed to issue the patent to the assignee, or jointly to the inventor and the assignee, in the case of an assignment of an interest only.

Grant A grant is the exclusive right under a patent to make, use, and sell and to grant to others the right to make, use and sell, the thing patented within and throughout some specified part of the United States. Grants differ from assignments, in that the right conveyed does not extend to the whole United States. Grants should also be written or printed and duly signed.

License A license is a conveyance of a right under a patent which does not amount to an assignment or a grant. It is a license if it does not convey the entire and unqualified monopoly or undivided interest therein throughout all the entire territory to which it refers.

Recording An assignment or grant is void as against any subsequent purchaser or mortgagee for a valuable consideration without notice, unless recorded in the Patent Office within three months from the date thereof.

A licence is not required to be recorded, and no record of a license effects the rights of any person, as a license holds good against the world, whether recorded or not.

Fees Our fee for an assignment or grant, including the recording fee, is \$5.

For a license our fee varies according to the skill and work required. Generally stated, the fee ranges from \$10 to \$25.

Always state full name of the party to whom the assignment is to be made, his residence, and the interest to be conveyed. If a corporation, the state in which incorporated and the place of business.

FEES—HOW PAYABLE

Mechanical Patent

OUR FEE

- \$ 5 - When search is authorized.
- 10 - When instructions are given to prepare case.
- 15 - When case is returned for filing.
- \$30 - Total, including search, one sheet of drawing, and the preparation and prosecution of the case.

GOVERNMENT FEES

- \$15 - Filing fee.
- 20 - Final fee, payable at any time within six months after the official notice of allowance.
- \$35 - Total Government fees.
- \$65 - Total cost of patent.

Our \$30 fee applies to case requiring but one sheet of drawing to illustrate. For each additional sheet, we increase our fee \$5, which covers the extra cost of drawing, and the additional work involved in preparing and prosecuting.

If you do not desire to pay our fee in the manner above outlined, advise us and we will give you our special fee plan.

Design Patents

OUR FEE

- \$ 5 - When search is authorized.
- 10 - When instructions are given to prepare case.
- 10 - When case is returned for filing.
- \$25 - Total, including search, one sheet for drawing, and preparation and prosecution of the case. For each additional sheet, \$5.

GOVERNMENT FEES

3½ years	-	\$10	Total cost	-	\$35
7 years	-	15	Total cost	-	40
14 years	-	30	Total cost	-	55

In design patents, there are no final Government fees.

If you do not desire to pay our fee in the manner above outlined, advise us and we will give you our special fee plan.

FEES—HOW PAYABLE

Caveats

OUR FEE

- \$ 5 - When instructions are given to prepare case.
- 5 - When case is returned for filing.
- \$10 - Total.
- 10 - Government fee.
- \$20 - Total cost.

If you do not desire to pay our fee in the manner above outlined, advise us and we will give you our special fee plan.



Trade Marks

OUR FEE

- \$ 5 - When search is authorized.
- 10 - When case is returned for filing.
- \$15 - Total.
- 10 - Government fee.
- \$25 - Total cost.

If you do not desire to pay our fee in the manner above outlined, advise us and we will give you our special fee plan.



Validity and Infringement

Validity and Infringement Opinions

The question of infringement is one that can only be determined by an attorney skilled in patent law and mechanics. Our Mr. James W. Bevans has rendered many infringement opinions in important cases, and by his association with Mr. W. H. Bevans has the assistance of a mechanical expert of recognized ability.

In purchasing a patent, the question of probable infringement and the validity of the patent should be ascertained. The question of the validity of a patent in view of the prior art arises in many different connections. We make the proper investigations and render reliable opinions on the question of validity and infringement at moderate fees.

Suits We institute or defend infringement suits, preparing bills of complaints, answers, etc., furnishing expert testimony, and attending to all necessary matters connected therewith. We are equipped to give our clients the very best service in patent litigation.

Visiting

Washington

It is not necessary for an inventor to visit Washington for the purpose of taking up his case in person with the attorney, as all matters pertaining thereto can be attended to by correspondence. We are always glad, however, to have a personal acquaintance with our clients, and if therefore you desire to come to Washington to transact your business in person, we will be pleased to have you call on us. We would suggest that if possible, you write or telegraph, making an appointment.



Fortunes from Lucky Ideas

[Reprinted from New York Sun]

Some valuable inventions hit upon accidentally.

A hen discovered how to make sugar white and a dog gave us the art of dyeing. Women prominent as inventors. Eccentricities of the Patent Office.

Whenever a new patent comes out, especially some little thing that anybody might have made, you will always hear the remark: "Why couldn't I have thought of that?" Fortunes are made from even the most trivial contrivances. A man walked from Philadelphia to Washington to patent the gimlet pointed screw, and the simple idea eventually earned him more than a million dollars. The rubber tip on the end of lead pencils made its inventor rich. The metal point on the end of your shoe string earned a fortune for the woman who thought of it, and the copper cap that so long adorned the toes of children's shoes earned \$2,000,000 for the lucky person who patented it.

Many valuable inventions were hit upon in a most accidental way. The art of making sugar white was discovered by a harmless old speckled hen. This feathered matron one day went for a walk through a field of clay and later without taking the precaution to wipe her feet walked through a sugar

mill on the same plantation, scattering clay over the loose mounds of sugar as she passed. Afterward it was discovered that wherever her tracks had fallen on the moist sugar the clay had whitened it. Scientists took up the matter and from this incident introduced the method of bleaching sugar by the clay process.

A dog gave us the art of dyeing cloth. One afternoon so many years ago, that the date is of small consequence, a noted man and his sweetheart went for a walk along the sands of the seashore in a far off country. A little dog trailed along at their heels and becoming weary of much love making finally ran ahead and went fishing among the rocks. One particular shell fish which he captured and devoured exuded a fluid which dyed the hair about his mouth a pretty purple. Investigation of this incident founded the science of dyeing cloth.

A man from Michigan was told by the doctors to take his wife South for her health. He purchased a big wagon and team for the trip, and thought to make some profit, by carrying a stock of feather dusters to sell along the way. One day he went to the factory where his dusters were being made and while standing in the yard talking to one of the employees picked up from the ground one of the "strutters" or tail feathers from a turkey—the refuse from the duster factory. He began idly twisting a thread back and forth

Fortunes from Lucky Ideas



through its broken edges, and the idea of the featherbone came to him. The featherbone is the successor of whalebone, and is indispensable to the attire of the modern women. He patented the idea and received so much money from it that he will never have to travel overland in a wagon again unless he wants to.

A man standing in front of the post office in Washington bent a small piece of tin in his fingers until it took the shape of a T. "This would make a good paper fastener," he remarked to the man with whom he was talking, and he straightway had the idea patented. Another man made money from the device of an imbedded string in the end of an envelope to cut the paper as it is drawn out. Still another man added to this idea by tying a knot in the end of the string to keep it from being drawn through.

It is interesting to note how man has borrowed many of his ideas from the animal world. Wasps made paper from wood long before man did. The folding scissors and folding pocket compass are only copies of the folding lower jaw of the dragon fly. The flying squid, a species of cuttlefish, has a way of projecting itself as high as twelve feet above the surface of the water by forcibly expelling water from its body. Man saw this and invented the skyrocket. The rope making machine used in the United States navy yards follows almost the precise lines that a spider does when making his own frail cable.

Women have been prominent in the field of invention and there are more than 3,500 different devices credited to their ingenuity. Of the list of things invented by women about 90 per cent. are devoted to the home, the kitchen and to dress. The first patent given a woman in the nineteenth century was granted to Mary Kier in 1809 for "straw weaving with silk or thread"—the probable forerunner of American matting. One of the most recent invention by woman is a shoestring that won't come untied.

The records of the Patent Office show how some people have invaded the field of invention with most eccentric ideas. An invention called the "anti-snoring device" is something similar to a telephone. No sooner does the sleeper begin to snore than the sound is transmitted to his own ear, causing him to awake at once. Another ambitious inventor has brought out a machine which will automatically tip a man's hat when he passes a woman acquaintance on the street.

A woman is responsible for a patent crimping pin that can be used as a paper cutter, a skirt supporter, a paper file, a bouquet holder, a safety pin, a shawl fastener and a book mark. There is a patent churn that rocks the baby's cradle; a pocketbook that combines a pistol, so that when the highwayman demands your money or your life you can send him to kingdom come while in the seeming act of handing him your valuables.

Fortunes from Lucky Ideas

The story is told of an Iowa man who patented an India rubber sidewalk. After much lobbying with his friends among the town council he was allowed to put down several yards of it as an experiment. As a noise absorber it proved most effective, and the early demonstrations seemed to be living down all scepticism in regard to it so rapidly that the inventor's fortune was all but made.

Then the inventor made a blunder. To show how solid and strong it was he began jumping up and down on it with its whole weight. The walk could not forget that it was still rubber, and when the ambitious inventor planked his heels into it he was promptly pitched over the fence into a briar patch. The episode proved such a joke that the budding popularity of the new idea began to wane, and there are still no rubber sidewalks in Iowa.

Another happy idea that came to grief was the adjustable pulpit brought out by a Texas inventor. An observing member of a certain congregation in the Lone Star State noticed that some of the preachers were tall and some were short, so he conceived the idea of making an adjustable pulpit which would accommodate itself to all heights. The first preacher to use the automatic device was a short man, and the inventor was on hand and took his measure to a nicety. Later when a six foot pastor came on the inventor had the grip and could not go to church.

The pulpit was set for his short predecessor and nobody could do a thing with it. The inventor had insisted that his device was easy enough to manipulate, but it proved most stubborn and would not submit to a readjustment. The tall man started in with it, and it was so low that in reading his text he had to stoop over almost as much as if his book were placed on a chair. When he began to preach he was getting along well enough until he suddenly stamped his foot to emphasize a point. His action released the spring in the floor and the pulpit shot upward until it completely hid the preacher from the view of his hearers. The remainder of his sermon sounded about the same as if he had been in a well.

Thomas Jefferson may be termed the "Father of the Patent Office," for it was he who saw to the passing of the act creating the office and the copyright system. For a number of years he was one of the Committee who passed on the merits of all designs submitted to the office. One Dr. Thornton, a rather eccentric man, was the only department clerk the office had for a long period. In the war of 1812, when the British soldiers had a cannon trained on the Patent Office to destroy it the doctor rushed out and placed his body before the mouth of the cannon, exclaiming that if Goths and Vandals would destroy a building containing models that would benefit all the world the ball must first go through his body. It was spared, but in 1836 the Office was burned and the only thing saved was a book of no particular value.

Patent Granted to Abraham Lincoln

No. 6,469.

A. LINCOLN.
MANNER OF BOUYING VESSELS.

Patented May 22, 1849.

Fig. 1.

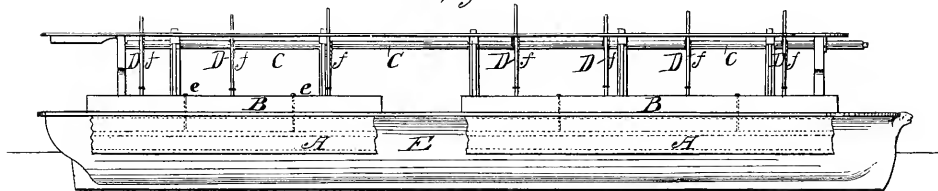


Fig. 3.

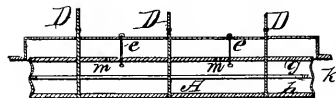
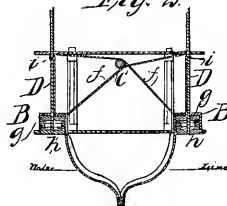


Fig. 2.



Lincoln Patent



THE drawing on the opposite page illustrates an invention patented in 1849 to Abraham Lincoln. The object of the invention, as stated in the Patent, was to provide adjustable buoyant airchambers for steam or other vessels by means of which their draught of water might be lessened so as to enable them to pass over bars, or through shallow waters without discharging their cargoes.

The invention consisted in providing the boat on each side with chambers *A*, having a top *g*, and bottom *h* of plank or metal and flexible sides and ends of India-rubber or other waterproof fabric. When not in use these chambers were collapsed. When desired for use they were expanded by ropes *f, f*, shafts *D, D*, and a main shaft *C* operated by the engine or in any other preferred manner.

The application was signed "A. Lincoln," and his signature was witnessed by "Z. C. Robbins" and "H. H. Sylvester."

REFERENCES

WE print below a number of letters from clients for whom our Mr. James W. Bevans has taken out patents. The inventors and manufacturers writing these letters are well known, some of them owning and controlling hundreds of patents. Their business has not been transacted solely by correspondence, but they have come in personal contact with the members of this firm. They know the value of a properly solicited patent and they know whether such a patent has been procured for them. Further, they know when an attorney knows his business. Hence, these letters carry weight.

LEONARD T. JOHNSON, PRESIDENT
NEW ENGLAND SALES MANAGER

CABLE ADDRESS "SCALES" TOLEDO

JOHN B. ROSE, VICE-PRESIDENT
C. E. YOUNG, SECRETARY

Toledo Computing Scale Company
Makers of Honest Scales
Toledo, Ohio, U. S. A.

LEONARD T. JOHNSON
NEW ENGLAND SALES MANAGER
TELEPHONE, 8701-9 MAIN

34 MERCHANTS ROW,
COR. FANEUIL HALL SQUARE
BOSTON, MASS.

March 12, 1907.

Mr. James W. Bevans of Washington, D. C. has secured for me a number of patents, also attended to other work in connection with patents and the patent office. He has always given satisfaction in every respect. I gladly recommend him to any one wishing to secure a patent.

Very truly,



ELLICOTT MACHINE COMPANY
OFFICES AND SHOPS
BUSH AND SEVERN STREETS
BALTIMORE, MD
*ESTERN U. S. ON TELEGRAPHIC CODE SYSTEM
CABLE ADDRESS ELLICOTT BALTIMORE

Feb. 21, 1907

H. D.

James W. Bevans, Esq.,

Colorado Bldg.,

Washington, D. C.,

Dear Sir:

As you have been looking after all our patent business for some years, we wish to say, that we are highly pleased with the work you have done for us. We have entire confidence in your integrity and ability and the energy which you have applied to our work and the results you have obtained, have given us the best of satisfaction.

Yours very truly,

Ellicott Machine Co.,

Per

Charles E. Ellicott

E/O

REFERENCES

TELEPHONE CONNECTION

W. H. NIEMEYER & CO.

Pattern and Model Makers
Wood Specialties

BRANCH SHOP
HOLLIDAY AND PLEASANT STS.

OFFICE AND SHOP
1001 N. NEAR SEVERN STS.

BALTIMORE, April 25, 1907.

James W. Bevans, Esq.,

Colorado Bldg.,

Washington, D. C.

Dear Sir:

I am returning herewith the application duly executed in the matter of the Bottle Capping Machine. It is prepared in the same excellent manner as my other cases, and meets with my entire approval. Please file at once. We are now organizing to manufacture the excelsior making machine covered by the second patent secured by you. The several novelties I intend to place as soon as the patents are issued.

Thanking you for your promptness and personal attention to my business, I am,

Very truly yours,

W. H. Niemyer.

American and British Manufacturing Company.

Manufacturers of
Refrigerators, Ice Boxes,
Freezers, and Hygienic
Food Preservers, Hydraulic Presses,
Grain & Engine, Steam Engines,
Special Machinery, Tools,
Sawmills, etc., etc.
"Cable Address," "Amvord"



Operating
American Engine Works,
Bridgeport, Conn.
Cortland Steam Engine Works,
Savannah, Ga.

Bridgeport, Conn. April 24, 1907.

James W. Bevans, Esq.

Colorado Bldg.,

Washington, D. C.

Dear Sir:-

During the several years that you have acted as our attorney in patent matters, you have solicited many patents, U.S. and foreign, for us, covering very valuable inventions, and we take this occasion to say that we are more than satisfied with the character of the protection secured by you. You have also conducted several interferences, rendered numerous infringement and validity opinions, drawn many assignments, licenses, and special agreements and in each instance have given us the very best service. We have every confidence in your ability and integrity.

Very truly yours,

AMERICAN & BRITISH MFG. CO.,

by

Chas. J. Phipps
Vice-President.

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